

Ms. Violet Varona-Lukens  
Executive Officer, Board of Supervisors  
Room 383, Kenneth Hahn  
Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Mrs. Varona-Lukens:

03/11/2004

Subject: PARKING PERMIT CASE NO. 03-135-(1)

Use: LESS THEN REQUIRED PARKING PERMIT

Address 342 1/2 FORD BLVD. EAST LOS ANGELES CA. 90022

Eastside Unit No. 4 Zoned District

Related zoning matters:

Tract or Parcel Map No. \_\_\_\_\_

Change of Zone Case No. \_\_\_\_\_

Other PARKING PERMIT

This is a notice of appeal from the decision of the Regional Planning Commission on:  
(Check One)

☐ The Denial of this request

☒ The Approval of this request

☐ The following conditions of the approval:

Briefly, the reason for this appeal is as follows:

THERE IS NOT NEARLY ENOUGH PARKING SPACES FOR THE OVER 150 MERCHANTS IN THE SURROUNDING  
AREA, LET ALONE DESIGNATE THE AMOUNT OS SPACES ALLOED IN THIS APPROVED CASE. WE STATED OUR  
DISAPPROVEL ON MANY OCCASIONS THROUGHT THE PROCESS TO APPROVE THIS MATTER BUT YOU WOULD  
LISTEN TO US. WE FEEL THERE WAS MUCH INTERNAL INTREST BY MEMBERS OF THE REGONAL PLANNING  
COMMISSION TO APPROVE THIS CASE. THIS AREA HAS MANY FIESTAS, CHURCH FUNCTIONS, PARADES  
COMMUNITY EVENTS, SCHOOL FUNCTIONS THAT THE PARKING IS NEEDED FOR IN THE COMMUNITY.  
WE FEEL THAT THE DECISION TO APPROVE THIS CASE WAS A BAD ONE BY THE BOARD AND CONTINUES THE  
TREND OF THE BOARD OF SUPERVISORS NOT LISTENING TO THE COMMUNITY IT REPRESENTS.

Enclosed is a check (or money order in the total amount of \$ 643.80  
The amount of \$ 124.80 is estimated to cover the cost of preparing for  
the Board of Supervisors six (6) copies of the transcript of all pertinent hearings held by  
the Regional Planning Commission. The amount of \$1,038.00 for applicants or \$519.00  
for non-applicants is to cover the Regional Planning Department's processing fee.

  
(Signed) Appellant

BERTHA PLANTILLAS

Print Name

4538 1/2 CEASER CHAVEZ

Address

LOS ANGELES, CA. 90022

323-261-1365

Day Time Telephone Number

COPIED BY LOS ANGELES  
BOARD OF SUPERVISORS

30th NOV 15 PM 5:48

FILED

March 29, 2004

Honorable Board of Supervisors  
County of Los Angeles  
Kenneth Hahn Hall of Administration, Room 383  
500 West Temple Street  
Los Angeles, CA 90012

**PARKING PERMIT CASE NO. 03-135-(1)**

**PETITIONER: SINISHA KOSTICH**

**6710 LOS VERDES DRIVE #6**

**RANCHO PALOS VERDES, CA 90275**

**EASTSIDE UNIT NO. 4**

**FIRST SUPERVISORIAL DISTRICT (3-VOTE)**

Dear Supervisors:

**IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING :**

1. Consider **approval** for Parking Permit No. 03-135-(1), together with the information submitted by the applicant and presented at the public hearing, and together with any comments received during the public review process, find on the basis of the whole record before the Board that Parking Permit No. 03-135 does substantiate the required findings and burden of proof for a parking permit as set forth in Section 22.56.1020 of the Los Angeles County Code (Zoning Ordinance).
2. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Parking Permit No. 03-135-(1).

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

- County Code Section 22.56.990 provides an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements, or to provide flexibility in the design of particular uses that have special characteristics, by reducing the number of parking spaces otherwise required.
- The existing shortage in parking at this site is due to the fact that the buildings were built in the 1920's, prior to the adoption of current parking standards.
- In addition to the available on-site parking, two public parking lots exist in the immediate vicinity and there is an established public transportation system that is used by customers and employees. Staff does not anticipate conflicts from a shared parking arrangement as uses sharing the facilities operate at different times of the day or days of the week.

**Implementation of Strategic Plan Goals**

This parking permit approval promotes the County's Strategic Plan goal to promote business and economic development. The dance school would also provide a service currently not available in this community and would support the County's vision to encourage the social well being of families. The project components of the parking permit sought by the applicant were carefully researched and analyzed to ensure that quality information regarding the subject property is available.

**FISCAL IMPACT/FINANCING**

Implementation of the proposed parking permit should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Regional Planning Commission conducted a public hearing on Parking Permit Case No. 03-135-(1) on November 5, 2003. The parking permit request was to authorize less than required parking for a proposed dance school in an existing commercial building shared by a party supply and rental store, bakery, take-out café, and a small market. The Regional Planning Commission voted to approve the requested parking permit at their February 18, 2004 meeting. The existing legal non-conforming due to parking status of the commercial building and the availability of sufficient free public parking in the immediate vicinity of the site were primary issues supporting the approval.

A public hearing is required pursuant to Section 22.60.240 of the County Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of California Government Code Sections 6061, 65090 relating to notice of public hearing.

**ENVIRONMENTAL DOCUMENTATION**

This project was determined Categorical Exempt Class I (existing buildings) from the provisions of the California Environmental Quality Act (CEQA).

**IMPACT ON CURRENT SERVICES**

The proposed dance school could be a positive addition to the local community, providing a service which does not currently exist in this neighborhood.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING  
James E. Hartl, AICP, Director of Planning

Russell J. Fricano, Ph.D., AICP  
Zoning Permits I

Attachments: Final Letter, Findings, Conditions, Staff Analysis, Factual

C: Chief Administrative Officer  
County Counsel  
Assessor  
Director, Department of Public Works

RJF:MBM

April 7, 2004

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Daniel Cartagena & Associates  
P.O. Box 1105  
Long Beach, CA 90801

RE: PARKING PERMIT CASE NO. 03-135-(1)  
342 1/2 Ford Boulevard, East Los Angeles

Dear Applicant:

The Regional Planning Commission, by its action of February 18, 2004 **APPROVED** the above described parking permit.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant.

If no appeal is made during this 15-day period, the Regional Planning Commission action is final. Upon completion of the 15-day appeal period, please notarize the attached acceptance form and **hand deliver** this form and any other required fees or material to the planner assigned to your case. It is advisable that you **make an appointment** with the case planner to assure that processing will be completed expeditiously. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING  
James E. Hartl, AICP, Director of Planning

Russell J. Fricano, Ph. D., AICP  
Supervising Regional Planner  
Zoning Permits Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion).

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement; Sinisha Kostich (Owner);

RJF:MBM

**PARKING PERMIT CASE NO. 03-135-(1)**

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATES: November 5, 2003,  
November 19, 2003 and November 24, 2003**

**SYNOPSIS:**

The applicant requests a Parking Permit to provide less than required parking for a proposed dance school in an existing commercial building shared by a party supply and rental store, a bakery and a take-out café. A small market in a separate building on the site also shares the 28 available on-site parking spaces. The building was built in the late 1920's and does not have a parking area of sufficient size to comply with current parking requirements. A public parking lot across the street from the subject property provides 60 free parking spaces. The subject property is located at 342 ½ N. Ford Boulevard, within the Eastside Unit No. 4 Zoned District. Access to the property is taken from N. Ford Boulevard to the east.

**PROCEEDINGS BEFORE THE COMMISSION**

November 5, 2003

A duly noticed public hearing was held before the Regional Planning Commission on November 5, 2003. Commissioner Valadez was absent. The applicant and his representative presented testimony and answered questions posed by the Commission. Six persons testified in opposition to the project.

There being no further testimony, the Regional Planning Commission after discussion voted (4-0) to close the public hearing, with the exception of written comments, and to continue the matter to November 19, 2003, for discussion.

November 19, 2003

The agenda was not properly posted; the case was continued to November 24, 2003.

November 24, 2003

A duly noticed public meeting was held by the Regional Planning Commission on November 24, 2003. Commissioner Modugno was absent. The applicant and his representative answered questions posed by the Commission.

The Regional Planning Commission after discussion voted (4-0) to indicate its intent to approve the parking permit and direct staff to prepare findings and conditions for approval.

### Findings

1. The applicant requests a Parking Permit, pursuant to Section 22.56.990 of the Los Angeles County Code, to authorize the provision of less than required parking to serve a proposed dance school.
2. The subject property is located at 342 ½ Ford Boulevard, within the East Side Unit No. 4 Zoned District. The property is a 0.6-acre level, rectangular shaped parcel, which is currently developed with two commercial buildings. Access to the property is taken from East Ford Boulevard to the east.
3. The subject property is zoned C-M (Commercial Manufacturing) and is located within the East Los Angeles Community Standards District (“CSD”).
4. Surrounding zoning consists of:
  - C-M, R-3 (Limited Multiple Residence) to the north;
  - C-M, P-R (Restricted Parking), and R-2 (Two Family Residence) to the south;
  - R-3, C-3 (Unlimited Commercial), and C-M to the east; and
  - California Department of Transportation property to the west
5. The subject property is developed with a retail plaza consisting of a 13,400-square foot, two-story, commercial building, a 5,000-square foot, one-story market and a 28-space parking lot. Presently a party supply and rental store, a bakery, and a take-out café occupy the first floor of the two-story building and the second floor is currently vacant.
6. Surrounding land uses consist of:
  - Commercial uses, a church, a public parking lot, duplexes and single-family residences to the north;
  - Manufacturing, a school, duplexes and single-family residences to the south;
  - Single-family residences, duplexes, and commercial uses to the east; and
  - A public parking lot and the Long Beach Freeway (710) to the west.
7. The subject property is within the Commercial/Manufacturing land use category in the East Los Angeles Community Plan. This designation consists of areas with a mixture of businesses, small warehouses, light manufacturing, assembly plants, wholesale, and other uses that do not generate large amounts of traffic, noise, congestion or odors.



8. The existing retail plaza and the proposed dance school are consistent with the Commercial Manufacturing land use designation of the East Los Angeles Community Plan. There are no other general plan policies applicable to the subject property.
9. The subject property is located within the Maravilla Redevelopment Area, an area established to provide for the orderly growth and development of the community by eliminating, preventing, and discouraging the promulgation of blight conditions and encouraging preservation, rehabilitation, and development.
10. There are two previous zoning cases on this property:
  - Plot Plan 36906: Addition of storefronts and awnings, paint exterior walls and signage, approved 11/07/01. The addition of a take-out café was approved 1/29/2002.
  - Enforcement Case 030352: An enforcement file was opened in April, 2003, after complaints were reported to the Department of Regional Planning about the operation of a dancehall without a Conditional Use Permit. The applicant has since ceased operation pending the outcome of this parking permit request and there are currently no known violations on the property.
11. The site plan submitted by the applicant depicts the existing, approximately 13,400 square foot, two-story commercial building with retail uses and a bakery on the first floor and the proposed dance school on the second floor. 28 parking spaces, of which two are accessible to disabled persons, are shown on the plan. Across the parking lot is an approximately 5,000 square foot mini-supermarket. Access to the subject property is shown from Ford Boulevard to the west.
12. The property is subject to community-wide and zone-specific development standards of the East Los Angeles CSD set forth in Section 22.44.118.C and D of the County Code. The community-wide requirements for fences, building height, freestanding signs, and outdoor advertising signs do not apply, as the applicant is not proposing any fences or such signs on the subject property and the zone-specific height limit supercedes the community-wide height requirement. The approximately 30-foot high building is in compliance with the maximum 40-foot height limit for properties in the C-M zone within the CSD, pursuant to Section 22.44.118.D.7a.
13. Sign areas shall comply with the following CSD requirements: 1) the total permitted sign area of all signs on a building or site is 10 percent of the building face (not to exceed 240 square feet), and 2) the building face area is the height of the building (not including the parapet) multiplied by the frontage. (Section 22.44.118.C.3.b.) The applicant has not provided elevations of any proposed signage on the property. As a condition of approval of this grant, the applicant will be required to submit sign

elevations that comply with the applicable sign requirements for any proposed signs.

14. There are no development standards for the C-M Zone, other than parking, that are applicable to the subject property. The landscaping requirements are superceded by the development standards of the CSD, and the applicant is not proposing any outside display or outside storage.
15. Section 22.28.270.B of the County Code requires parking facilities in compliance with Part 11 of Chapter 22.52. Sections 22.52.1100 and 22.52.1110 of Part 11 require a minimum of one parking space for each 250 square feet of floor area for establishments used for retail sales as well as for eating establishments selling food for off-site consumption and having no seating or other areas for on-site eating; offices shall provide one space for each 400 square feet of floor area. Parking requirements for a dance school are not specified in the County Code, but Section 22.52.1220 provides that for uses with no specified parking requirement, parking shall be provided in an amount which the Director finds adequate to prevent traffic congestion and excessive on-street parking, based whenever practical upon the parking requirements for the most comparable use. The Director has determined that the proposed dance school is most comparable in use to a dancehall, for which one parking space is required for each three persons based on the occupant load as determined by the county engineer.
16. The current parking requirements for the subject property are as follows:

USE	STANDARD	REQUIRED SPACES
Party rental/bakery	7,071 Sq. ft. @1 space/250 sq. ft.	28
Office	529 sq. ft. @ 1 space/400 sq. ft.	1
Take-out café	793 sq. ft. @ 1 space/250 sq. ft.	3
Dance school	Occupancy load of 265 persons @ 1 space/ each 3 persons	88
Market	5,000 square feet @ 1 space/ 250 sq. ft.	20
	<b>TOTAL NO. OF REQUIRED SPACES:</b>	<b>140</b>

17. The existing on-site parking lot has 26 standard parking spaces and two additional spaces available for persons with disabilities. It is not possible to provide additional parking on-site due to the physical constraints of the site. The buildings on the site and in this area were developed in the late 1920s, prior to today's parking

standards. The first requirements for automobile parking spaces to be provided in conjunction with the construction of a new building were adopted in 1943 (Ordinance 4292, effective date 11/10/43); therefore, the existing buildings are nonconforming due to parking standards.

18. Two public parking lots have recently been constructed in the immediate neighborhood: a 60-space lot is located across the street from the subject property and an additional lot of similar size is located at the corner of Cesar E. Chavez Avenue and Ford Boulevard, approximately 200 feet from the subject property. Both of these lots provide free parking.
19. County Code Section 22.56.990 provides an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements, to provide more flexibility in the design of particular uses that have special characteristics by reducing the number of parking spaces otherwise required for such uses. A parking permit may be requested to authorize the shared use of parking facilities to conserve land and promote efficient land use, as well as allow off-site parking to provide greater flexibility and opportunity to meet the parking requirements.
20. The property is located in a low-income area where a large number of the residents use public transportation or walk to shopping areas.
21. The existing shortage in parking at the site is due to the fact that the buildings were built in the 1920's, prior to the adoption of current parking standards. The site does not have the necessary space to provide the required parking. The first requirements for automobile parking spaces to be provided in conjunction with the construction of a new building were adopted in 1943. The conditions of approval will limit the proposed dance school to a maximum of 75 students per class with operating hours in the evening when the other businesses in the building are normally closed. Therefore, the Commission finds that the 88 parking spaces required for the proposed use are not necessary, and the existing 28 parking spaces in conjunction with the two nearby public lots, are adequate for the use. Further, such reduction in parking spaces will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding properties.
22. One letter and a nine-signature petition in opposition to this project have been submitted as well as three letters in support of this project, including letters from the Maravilla Community Advisory Committee and the East Los Angeles Chamber of Commerce.
23. This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects which

have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15301 of the State CEQA Guidelines and Class I (existing structures) of the environmental document reporting procedures and guidelines of the County of Los Angeles. The proposed use will be in an existing building and no new construction is proposed.

24. The East Los Angeles area is known to be in short supply of automobile parking since many of the existing buildings were constructed before current parking requirements.
25. The Commission finds that, with appropriate restrictions as set forth in the conditions of approval, the proposed use of the subject property with reduced parking, landscaping and buffering will be compatible with surrounding land uses.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

- A. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding properties;
- B. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because there is an existing established public transportation system that is used by customers and employees, there will be no conflicts arising from special parking arrangements allowing shared facilities because the uses sharing parking facilities operate at different times of the day or days of the week, and off-site facilities will provide some of the required parking; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in the Zoning Ordinance;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Parking Permit as set forth in Section 22.56.1020, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Regional Planning Commission finds that this project is categorically exempt from the provisions of the California Environmental Quality Act.

2. In view of the findings of fact and conclusions presented above, Parking Permit Case No. 03-135-(1) is **APPROVED**, subject to the attached conditions.

**VOTE: 5-0**

**Concurring: Valadez, Bellamy, Helsley, Rew, Modugno**

**Dissenting:**

**Abstaining:**

**Absent:**

**Action Date: February 18, 2004**

RJF:MBM  
4/7/2004

**PARKING PERMIT CASE NO. 03-135-(1)**  
**FINAL CONDITIONS**

**Page 1 of 5**

1. This grant authorizes the use of the subject property with less than required parking, as depicted on the approved Exhibit "A" and subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 10.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

6. This grant shall expire unless used within 60 days from the date of approval. A 30-day time extension may be requested, in writing with payment of the applicable fee, prior to the expiration date.
7. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
9. This parking permit shall terminate and cease to be in effect at the same time the use of the subject property for a dance school terminates. In addition, this parking permit shall automatically terminate and the required parking must be provided except as otherwise authorized by a new parking permit if any of the following should occur: (1) the proposed dance school use substantially changes its mode or character of operation so as to require more parking; (2) the public parking lot on Ford Boulevard becomes unavailable; or (3) the current or any subsequent owner or tenant changes the use or occupancy of the subject property.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity in violation of any such law, statute, ordinance, or other regulation shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including conformance with the approved site plan on file. The fund provides for **5 biennial (every other year)**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150.00 per inspection.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
12. All requirements of Title 22 of the Los Angeles County Code (Zoning Ordinance) and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works. Within 30 days of the approval date of this grant, the permittee shall contact the local Building and Safety office of the Los Angeles County Department of Public Works for any needed retrofitting as may be required by that office.
14. Within 30 days of the approval date of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by the Fire Department;
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the businesses being operated on the premises or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.



16. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plot plans must be accompanied by the written authorization of the property owner.
17. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of dimensioned sign elevations for all proposed new signs, if any, on the subject property. Proposed signs shall be developed in accordance with Section 22.44.118.C.3 and Part 10 of Chapter 22.52 of the County Code.
18. The operation and maintenance of the subject dance school with less than required parking shall be further subject to all of the following restrictions:
  - a. A minimum of 26 standard parking spaces and two spaces reserved for persons with disabilities shall be provided and continuously maintained on-site. The access aisles adjacent to the parking spaces for disabled persons shall not be used for additional parking. All parking spaces shall remain free and clear of debris and available for parking at all times;
  - b. The permittee shall maintain in a neat and orderly fashion, free of litter and debris, all areas of the premises over which the permittee has control;
  - c. The permittee shall post signs stating that only customers of the business establishments on the subject property are allowed to park in the parking lot;
  - d. The permittee shall post signage by the dance school entrance with a contact number for reporting complaints to the County Sheriff and Regional Planning Zoning Enforcement Section;
  - e. The permittee shall maintain a current contact name, address and phone number on file with the Department of Regional Planning at all times;
  - f. Within sixty days of the approval date of this grant, the property owner shall furnish to the Department of Regional Planning and record in the office of the County Recorder an agreement, as a covenant running with the land for the benefit of the County of Los Angeles, providing that should this parking permit terminate, the owner or his successor in interest shall either terminate the use of the dance school or develop the on-site parking spaces needed to bring such use and/or occupancy into conformance with Chapter 22.52 of the County Code;

- g. The hours of operation for the dance school shall be 6 p.m. to 11 p.m., 7 days a week;
- h. Each class shall have a maximum of 75 students;
- i. The facility may not be rented out for events or parties;
- j. No live music is allowed;
- k. There shall be a 15 minute interlude between each class;
- l. Consecutive dance classes shall be of a different dance type; and
- m. If the Department of Regional Planning receives a complaint regarding the operation of the dance school within six months of its inception, the applicant shall hold a community meeting with a representative of the Department of Regional Planning present.

RJF:MBM

4/7/2004

## **STAFF ANALYSIS**

### **PROJECT NO.**

03-135-(1)

### **CASE NO.**

Parking Permit 03-135-(1)

### **PROJECT DESCRIPTION**

The applicant requests a Parking Permit to authorize less than required parking for a dance school in an existing commercial building shared with a party supply and rental store, a bakery and take-out café. A small market in a separate building also shares the available 28 parking spaces. Pursuant to County Code the existing uses require 140 spaces. The buildings in the area were built in the late 1920s and do not have parking areas of sufficient size to accommodate today's off-street parking requirements. The hours of operation for the dance school would differ from those of the market and other adjacent uses, as the proposed hours of operation for the dance school are in the evenings, between 6 p.m. and 11 p.m. According to the applicant, the existing market, café and party supply store operate between 8 a.m. and 6 p.m., daily.

### **DESCRIPTION OF SUBJECT PROPERTY**

The subject property is located at 342 ½ N. Ford Boulevard, within the Eastside Unit No. 4 Zoned District. The property is approximately 26,136 square feet in area; the parcel is level, rectangular shaped and developed with a 13,397 square foot two-story commercial building with an attached 790 square foot take-out café. A one-story approximately 5,000 square foot mini-supermarket is located across from the existing parking area. Access to the property is taken from Ford Boulevard to the west.

### **ENTITLEMENTS REQUESTED**

The applicant requests a Parking Permit to authorize less than required parking for a proposed 4,560 square foot dance school with a maximum occupancy of 265 persons.

Per County Code Section 22.28.230 a dance school is a permissible use in the C-M (Commercial Manufacturing ) zone.

Under current development standards 140 parking spaces are required; 28 spaces are available. This structure was established in the 1920s prior to current standards.

## **EXISTING ZONING**

### **Subject Property:**

The subject property is zoned C-M and is located within the East Los Angeles Community Standards District.

### **Surrounding Properties:**

Surrounding zoning consists of:

- C-M, R-3 (Limited Multiple Residence) to the north;
- C-M, P-R (Restricted Parking) to the south;
- C-M, C-3 (Unlimited Commercial), R-3 to the east; and
- Caltrans property and the Long Beach Freeway (710) to the west

## **EXISTING LAND USES**

### **Subject Property:**

The subject property is developed with an approximately 13,400 square foot, two-story commercial building occupied by a party supply and rental store and bakery (first floor), with an attached, one-story take-out café (approximately 790 square feet) and a separate one-story market (approximately 5,000 square feet). The proposed dance school would operate on the second floor of the existing commercial building.

### **Surrounding Properties:**

Surrounding land uses consist of:

- Commercial, a church, a public parking lot, duplexes and single-family residences to the north;
- Manufacturing, a school, duplexes and single-family residences to the south;
- Single-family residences, duplexes, and commercial to the east; and
- A public parking lot and the Long Beach Freeway (710) to the west.

## **PREVIOUS CASES/ZONING HISTORY**

### **Previous Cases**

Plot Plan 36906: Addition of storefronts and awnings, paint exterior walls and signage, approved 11/07/01. The addition of a take-out café was approved 1/29/2002.

Enforcement Case 030352: An enforcement file was opened in April, 2003, after complaints were reported to the Department of Regional Planning about the operation of a dancehall without a Conditional Use Permit. The applicant has since complied and there are currently no known violations on the property.

## **COMMUNITY PLANS**

### **Land Use Policy Map**

The land use designation for the subject property is "CM" (Commercial Manufacturing) in the East Los Angeles Community Plan, which consists of areas with a mixture of businesses, small warehouses, light manufacturing, assembly plants, wholesaling, and other uses that do not generate large amounts of traffic, noise, congestion or odors. In addition, the subject property falls within the East Los Angeles Community Standards District. This District was established to provide a means of implementing special development standards for the unincorporated community of East Los Angeles.

### **Consistency Analysis**

The retail plaza can be found compatible with the Commercial Manufacturing land use designation. The building is existing and no new construction is proposed.

### **Redevelopment Area**

The subject property is located within the Maravilla Redevelopment Area, an area established to provide for the orderly growth and development of the community by eliminating, preventing, and discouraging the promulgation of blight conditions and encouraging preservation, rehabilitation, and development. The Maravilla Community Advisory Committee (CAC) has provided a letter in support of this project. The letter is included as an attachment to this report.

## **SITE PLAN DESCRIPTION**

### **General Description**

The site plan depicts the existing, approximately 13,400 square foot, two-story commercial building with retail and a bakery on the first floor and the proposed dance school on the second floor. 28 parking spaces, of which two are accessible to disabled persons are shown on the plan. Across the parking lot is an approximately 5,000 square foot mini-supermarket. Access to the subject property is shown from Ford Boulevard to the west.

## **COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS**

### **PARKING**

Per County Code Section 22.52.1100 establishments used for retail sales shall provide a minimum of one parking space for each 250 square feet of floor area. Offices shall provide one space for each 400 square feet of floor area. Eating establishments selling food for off-site consumption and having no seating or other areas for on-site eating

shall provide one parking space for each 250 square feet of floor area per County Code Section 22.52.1110 (2). Parking requirements for a dance school are not specified in County Code, but may be found similar in use to a dancehall, which per County Code Section 22.52.1110 (1) requires one space for each three persons based on the occupant load as determined by the county engineer.

**COMPLIANCE:**

The existing on-site parking lot has 26 standard parking spaces and two additional spaces available for persons with disabilities. Assuming today's parking standards the following number of spaces would need to be provided for the existing businesses on-site:

USE	STANDARD	REQUIRED SPACES
Party rental/bakery	7,071 Sq. ft. @1 space/250 sq. ft.	28
Office	529 sq. ft. @ 1 space/400 sq. ft.	1
Take-out café	793 sq. ft. @ 1 space/250 sq. ft.	3
Dance school	Occupancy load of 265 persons @ 1 space/ each 3 persons	88
Market	5,000 square feet @ 1 space/ 250 sq. ft.	20
	<b>TOTAL NO. OF REQUIRED SPACES:</b>	<b>140</b>

It would be physically impossible to provide the required parking on-site. The buildings in this area were developed in the late 1920s, prior to today's parking standards. The first requirements for automobile parking spaces to be provided in conjunction with the construction of a new building were adopted in 1943 (Ordinance 4292, effective date 11/10/43). Two public parking lots have recently been constructed in the immediate neighborhood: A 60-space lot is located across the street (along Ford) from the subject property; an additional lot is located at the corner of Cesar E. Chavez and Ford, approximately 200 feet from the subject property. Both of these lots provide free parking.

**Other Development Standards**

**East Los Angeles Community Standards District**

**Landscaping and Buffering**

The subject property does not comply with the landscaping and buffering requirements applicable to properties in the C-M zone within the CSD. Pursuant to County Code Section 22.44.118 D. 4(c), all parking areas shall have a landscaped buffer of at least five feet in width adjacent to property lines. The subject property is devoid of landscaping and there is no space available for landscaping or buffering on the property. County Tax Assessor records indicate that the building was built in 1928, prior to the establishment of the current landscaping and buffering requirements.

Height

The two-story building is 30'-3" high and complies with the CSD height limit of 40 feet pursuant to County Code Section 22.44.118.7.

Signage

The applicant has not submitted any signage as part of this application. Any proposed signage shall comply with Code Section 22.44.118.3.

These requirements may be modified by the Commission where their strict application is deemed impractical because of physical, topographical, title or other limitations, if the Commission finds that the intent and spirit of the CSD standards are being carried out. (Code Section 22.44.118.D.5.b.)

There are no other development standards for the C-M Zone that are applicable to the subject property. The general landscaping and height limit requirements are superseded by the development standards of the CSD, and the applicant is not proposing any outside display or outside storage.

**PARKING PERMIT BURDEN OF PROOF**

- A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
1. The age and/or physical condition of the residents is such that the use of automobiles is unlikely; or
  2. The nature of the use is such that there is a reduced occupancy; or
  3. The business or use has established a viable transportation program for its employee and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as vanpool, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations,

- bikeways, or other similar facilities shall be a factor in this consideration;  
or
4. The business land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasible converted to parking if needed.
- B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
1. Uses sharing parking facilities operate at different times of the day of the week; or
  2. Parking facilities using tandem spaces will employ valet or will use other means to insure a workable plan; or
  3. Apartment housing using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces.
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lot and uncovered residential parking spaces will provide the required parking for uses because:
1. Such off-site facilities are controlled through ownership leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use; or
  2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternative spaces; such leases shall contain other guarantees assuring continued availability of the spaces; or
  3. Such traditional lots are designed to minimize adverse effects on surrounding properties; or
  4. Uncovered parking for low and moderate-income residential developments will be appropriately screened and compatible with the surrounding neighborhood.

**The applicant's responses are provided as an attachment to this report.**

## **ENVIRONMENTAL DOCUMENTATION**

This project has been determined Categorical Exempt (Class I) from CEQA reporting requirements. No new construction is proposed.



## **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

To date staff has not received any comments on this project.

## **COMMUNITY GROUP RECOMMENDATIONS**

The Maravilla Redevelopment Area Community Advisory Committee has submitted a letter in support of this application. The letter, dated September 8, 2003, is included as an attachment to this report.

## **PUBLIC COMMENTS**

To date staff has not received any public comments on this application.

## **SITE VISIT**

Staff visited the site on Wednesday, September 24, 2003 around 11 a.m. The on-site parking lot was not filled and the public lot across the street was nearly empty (see attached photos).

## **STAFF EVALUATION**

Per County Code Section 22.56.990 the parking permit procedure is established to provide an alternative to the parking requirements of Chapter 22.52 in the event that a particular use does not have the need for such requirements, and to allow some flexibility in the design of particular uses that have special characteristics which reduce the number of parking spaces otherwise required.

The existing shortage in parking at this site is due to the fact that the buildings in this area were built prior to the establishment of today's standards (1928) and subsequently does not have the necessary space for current on-site parking needs. The first requirements for automobile parking spaces to be provided in conjunction with the construction of a new building were adopted in 1943 (Ordinance 4292, effective date 11/10/43).

The property is located in a low-income area, where a large portion of the population uses public transportation or walk to shopping areas. This commercial plaza is located in a mixed commercial and residential area, where single- and multi-family housing is located throughout the 500' radius (see attached land use map). The CAC, which represents the local community, also supports the project.

**FEES/DEPOSITS**

**If approved as recommended by staff, the following fees/deposits will apply:**

**Zoning Enforcement:**

A cost recovery deposit of \$750 to cover the costs of the 5 recommended biennial zoning enforcement inspections. Additional funds would be required if violations are found on the property.

**RECOMMENDED ACTION**

- Approve the Parking Permit subject to the attached draft conditions.

**SUGGESTED MOTION**

"I move that the Regional Planning Commission indicate its intent to approve Parking Permit No. 03-135-(1) and instruct staff to prepare findings and conditions for approval."

**ATTACHMENTS:**

Draft Conditions

Thomas Brothers Map

Burden of Proof

Site Plan

Land Use Plan

Photos

RJF:MBM

4/7/2004

